

REMARKS/ARGUMENTS

Applicant thanks the Examiner for the Office Action dated June 15, 2007. In response to the issues raised, we offer the following submissions and amendments. Also enclosed is a Terminal Disclaimer linking the term and ownership of any patent granted in the present application to that of US 7,086,718.

Amendments

Independent claims 1, 17 and 33 have been amended to define that the heater is positioned between the CMOS drive circuitry layers and the corresponding nozzle. This gives the printhead IC the 'roof-shooter' configuration that contributes to the high nozzle density. This is clearly disclosed in all the embodiments shown in the figures.

Accordingly, the amendments do not add any new matter.

35USC§101 Statutory Double Patenting

The claims stand rejected for statutory double patenting in light of US 7,086,718 to the Applicant. Independent claims 1, 17 and 33 have been amended such that they are no longer co-extensive with any of the claims in the '718 patent. In the event that the Examiner considers the new claims to be patentably indistinguishable from the '718 claims, we enclose a Terminal Disclaimer.

The enclosed Terminal Disclaimer prevents any unjustified extension of exclusive rights or harassment from multiple assignees.

It is respectfully submitted that the Examiner's rejections have been successfully traversed and the application is now in condition for allowance. Accordingly, favorable reconsideration is courteously solicited.

Very respectfully,

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